

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ROBERT ALEXANDER,

Petitioner,

v.

MICHAEL THURMER, Warden
Waupun Correctional Institution,

Respondent.

ORDER

09-cv-580-wmc

As directed in this court's order of March 21, 2011, petitioner Robert Alexander has submitted a certified copy of his trust fund account statement so that a determination may be made whether he is indigent for the purpose of proceeding on appeal *in forma pauperis* and if he is, what amount must be assessed as an initial partial payment of the fee for filing his appeal.

From petitioner's trust fund account statement, I conclude that he qualifies for indigent status. Further, I assess petitioner an initial partial payment of the \$455 fee for filing his appeal in the amount of \$35.73.

If petitioner does not have the money to make the initial partial appeal payment in his regular account, he will have to arrange with prison authorities to pay some or all of the assessment from his release account. The only amount petitioner must pay at this time is the \$35.73 initial partial appeal payment. Before prison officials take any portion of that amount from petitioner's release account, they may first take from petitioner's regular account whatever amount up to the full amount petitioner owes. Petitioner should show a copy of this order to prison officials to insure that they are aware they should send petitioner's initial partial appeal payment to this court.

ORDER

IT IS ORDERED that petitioner Robert Alexander's request for leave to proceed *in forma pauperis* on appeal is GRANTED. Petitioner may have until April 29, 2011, in which to submit a check or money order made payable to the clerk of court in the amount of \$35.73. If, by April 29, 2011, petitioner fails to pay the initial partial payment or explain his failure to do so, then the court will advise the court of appeals of his noncompliance in paying the assessment so that it may take whatever steps it deems appropriate with respect to this appeal.

Further, the clerk of court is requested to insure that the court's financial records reflect petitioner's obligation to pay the \$35.73 initial partial payment and the remainder of the \$455 fee in monthly installments.

Entered this 12th day of April, 2011.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge